

BY-LAWS

WEYMOUTH

MASSACHUSETTS



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Oct. 13, 1987

ARTICLE 1

TOWN MEETINGS

Date of Town Meetings

SECTION 101. The annual meeting of the town shall be held on the first Monday of March of each year.

Warrant How Served

SECTION 102. All warrants for town meetings shall be served by a constable of the town by posting copies thereof, attested by him in writing, in two public places in each precinct of the town, seven days at least before the date fixed for the meeting.

Order of Articles in Warrant

SECTION 103. In the warrant for the annual town meeting all articles covering the annual department appropriations for the ordinary current expenses of the town shall precede all other articles, and until the articles so given precedence have been disposed of, no other article shall be taken up except by a three-fourths vote of the meeting.

Parliamentary Procedure

SECTION 104. The rules of the Massachusetts House of Representatives shall to the extent to which they are applicable and except as otherwise provided by law or in these by-laws, constitute the rules and order for the general government of town meetings and the regulation of business therein. In any case not covered by law, by said rules, or by these by-laws, the general principles of parliamentary law as contained in "Crocker's Principles of Procedure in Deliberative Bodies" shall govern.

SECTION 105. When a question is before the meeting, motions shall have precedence in the following order, to wit:

Order of Motions

- To adjourn
- To lay on the table
- For the previous question
- To close debate
- To postpone to a time certain
- To commit (or recommit) or refer
- To amend or substitute
- To postpone indefinitely

Rules of Debate

SECTION 106. Upon any of the motions named in Section 105 except a motion to amend or substitute, ten minutes shall be allowed for debate by town meeting members only, and no member shall speak thereon more than three minutes.

SECTION 107. On any other questions no person shall speak for more than ten minutes unless his time shall be enlarged by vote of the meeting.

As To Reconsideration

SECTION 108. When a motion for reconsideration is decided, that decision shall not be reconsidered, and no question shall twice be reconsidered; nor shall any vote be reconsidered upon any of the following motions:

- To adjourn
- To lay on the table
- To take from the table
- For the previous question

Motions in Writing

SECTION 109. A motion shall, if required by the moderator, be reduced to writing before being submitted to the meeting.

Order of Amendments

SECTION 110. On proposed admendments involving sums of money or periods of time the largest sum and longest time shall be put to the question first, and an affirmative vote thereon shall be a negative vote on any smaller sum or shorter time.

Verification of Vote

SECTION 111. If a vote being declared is immediately questioned by seven or more of the voters, the moderator shall cause the vote to be taken again by a show of hands or by dividing the meeting and the same to be counted by a teller and the moderator may in his discretion require the same to be done.

Chaplain

SECTION 112. The Board of Selectmen shall arrange for the attendance of a clergyman as chaplain for each town meeting, which chaplain shall receive such compensation as the Board may determine, payable from the Selectmen's appropriation for miscellaneous expenses.

Stenographer

SECTION 113. The Town Clerk shall arrange for the attendance of a competant stenographer at each town meeting. Such stenographer shall be responsible to the Town Clerk and his compensation shall be paid from the Town Clerk's department.

ARTICLE II

TOWN REPORTS

SECTION 201. The head of each town department, and every committee or board appointed or elected shall on or before the 15th of January report in writing to the Selectmen on their doings during the preceding calendar year and their recommendations for action by the town. These reports shall be in form as the Selectmen shall prescribe and shall be permanently bound

or otherwise preserved for reference under the direction of the Town Clerk. Unless some Town Meeting Member objects at the beginning of the annual town meeting such reports shall be considered as accepted without formal vote.

SECTION 202. The Selectmen shall cause to be printed and distributed before the annual town meeting the reports of the various Town Officers, Boards and Committees, and shall cause a copy of said report to be left at each occupied hotel, dwelling house and tenement seven days at least before the date of holding said meeting.

ARTICLE III

BOARDS AND COMMITTEES

Appropriation Committee

SECTION 301. There shall be an appropriation committee, consisting of fifteen members appointed by the moderator. Five members of the committee shall be appointed by the moderator each year within ten days after the annual town election, to serve for three years and until their successors have been appointed. Neither the Town Clerk, Town Treasurer, Chief of Police, Chief of the Fire Department, Superintendent of the Water Works, or any member of the Board of Selectmen, Assessors, or School Committee shall be eligible to serve on said Committee. No member of said committee shall be eligible to serve more than three terms in succession. The Town Accountant and Town Counsel shall be ex-officio advisory members of said committee.

Duties of the Committee

SECTION 302. The appropriation committee shall prepare the annual budget as provided by law, shall consider the various articles relating to the raising or expenditure of money and all other articles which commit the town to the expenditure of money in the warrant for all town meetings held during the period for which they have been appointed; and they shall report in print before all such town meetings their estimates and recommendations for the action of the town. In their report before each annual town meeting, they shall include a statement of the aggregate amount recommended by them to be appropriated for each of the different town departments and their estimate of the tax rate for the ensuing year, based upon the appropriations so recommended, their estimate of the town's income from other sources than taxes during the year and the tax valuation of the town during the year last preceding.

Before recommending to the town the acceptance of any street which has been laid out as a town way by the Selectmen on petition of the abutters, the committee shall require a report from the Town Engineer and Superintendent of Streets, as to whether the provisions of law, of these by-laws, and of the rules of the Board of Survey applicable to such streets have been complied with.

For the preliminary examination of the financial needs of the several town departments and activities, the committee may divide itself into sub-committees, but the final recommendations shall be acted upon at a meeting of the full committee. Five

members of the committee shall constitute a quorum for all purposes except final recommendation to the town meeting, for which the presence of a majority shall be required. The clerk of the Board of Selectmen shall send to the secretary of the committee as soon as received, all articles accepted by the Selectmen for inclusion in the warrant for any annual or special town meeting.

Planning Board

SECTION 303. The Planning Board shall consist of seven members. At the next annual meeting after this amendment to the by-laws has become effective, three of these shall be elected for three years, two for two years and two for one year. At each annual meeting thereafter the terms expiring shall be filled for a term of three years.

(Adopted March 5, 1925)

SECTION 304. Except as otherwise provided by law, these by-laws, or vote of the town, the moderator shall appoint all town committees in open town meeting, or by a writing over his signature filed with the Town Clerk. Unless the moderator shall designate a chairman, each committee shall elect its own chairman; in the case of permanent committees whose membership is renewed in part each year, the Town Clerk shall, on his own initiative, or at the request of a majority of the members of the committee, call said committee together and designate some member of the committee to preside until a chairman is chosen.

In the case of all other committees, the member first named shall call the first meeting of the committee, or direct the Town Clerk to do so, and shall preside until a chairman is chosen.

A member of a committee may resign therefrom by a writing over his signature filed with the Town Clerk.

Whenever through death, removal from the town, resignation, or other cause, a vacancy occurs on any town committee, the moderator may appoint a suitable person to fill the vacancy. In the case of a permanent committee having a fixed term of office the person so appointed shall hold office for the unexpired term of the member whom he replaces.

Board of Selectmen

SECTION 305. The Board of Selectmen shall exercise a general supervision over all matters affecting the interests or welfare of the town.

They shall have control of all town property which is not actually occupied by a town official, department, or activity, and shall enforce the conditions and covenants of any lease or tenancy thereof.

any In addition to such other powers and duties as are conferred upon them by law, these by-laws, custom or vote of the town, they shall have power to do *(ay)* acts on behalf of the town which are not by law, these by-laws, or some vote of the town, delegated to some other board, committee or official, or reserved to the voters of the town.

They shall appoint all town officers whose election by the voters or appointment by some other town board or official is not required by law or these by-laws.

They shall act as Overseers of the Poor and Board of Survey.

Except as otherwise provided by statute or vote of the town, and subject to any provisions of any statute or vote in that behalf, they shall determine what town officers and employees shall give bond, and shall, on recommendation of the Town Counsel, fix the form and amount of all bonds of officials and employees and bonds taken to secure the performance of any contract to which the town is a party, determine the sufficiency of the surety or sureties thereon, and determine the amount and form of insurance to be carried upon all town property.

They shall have control of all town property which by law, custom or some vote of the town is not placed in charge of some other board or officer and shall make regulations for the use of the same.

Subject to the provisions of these by-laws they shall control the Town Hall and shall regulate the use of the same by other town boards and officers; except as otherwise provided by law, or these by-laws, the chairman of the Board, or some member of the board appointed by him, shall be ex-officio an advisory member of all town committees, but shall have no vote on any such committee unless an actual member thereof. Unless otherwise directed by law or some vote of the town they or a majority of them shall execute all conveyances in behalf of the town.

Until the town makes other provision therefor, they shall have control of all memorials erected by the town to its soldiers and sailors and of the grounds surrounding the same.

ARTICLE IV

FINANCIAL AND LEGAL MATTERS

SECTION 401. No money granted for general or special purpose shall be applied to any other use, unless by vote of the town or by vote of the appropriation committee pursuant to the provisions of law.

All Orders to State on Whose Account Drawn

SECTION 402. In all cases of orders drawn by the Selectmen to cover the bills of two or more persons, the bills attached to the orders shall state upon their face the name of each person on whose account the order is drawn, and against the several names, the several amounts, which make up the gross amount.

Town Counsel

SECTION 404. The Selectmen shall annually appoint the Town Counsel, who shall receive for his services such compensation as the town may determine. He shall draw or supervise the drawing of or approve all contracts, deeds, bonds and other legal instruments relating to the town; shall prosecute and defend all suits to which the town is a party; shall under the direction of the Selectmen represent the town before any committee of the Legislature, Administrative Board, or other public official in any matter wherein the town has an interest; shall furnish legal advice to town officers, boards and committees pertaining to the discharge of their official duties. The Selectmen may instruct him to prosecute any cases of violation of town by-laws or to defend

any proceeding brought against any officer or employee of the town for acts done in the discharge of his official duties. In the discharge of his legal duties, he may employ assistants, but except as otherwise expressly authorized by the Board of Selectmen or vote of the town, he shall be responsible for the acts of any assistants employed by him and such assistants shall be paid by him.

The salary of the Town Counsel shall cover all work performed by him except actual appearance in court in the conduct of litigation or before administrative boards or other tribunals, but he shall appear before committees of the Legislature without additional compensation.

Claims By or Against the Town

SECTION 405. The Selectmen, when in their judgment it is for the interests of the town so to do, may bring on behalf of the town any proceedings before any court, legislative committee, administrative board, or other public official and may answer and defend any such proceedings brought against the town and may appear on behalf of the town in any such proceedings instituted by others in which the town has an interest. They may prosecute such suits to final judgment or may compromise any claims by and against the town on such terms as shall seem to them for the best interests of the town, whether or not such claims are in litigation, provided that they shall not, without vote of the town, compromise any tort claim against the town, not in litigation, for a greater sum than \$300.

Any other town board having authority to take property by eminent domain may in like manner on recommendation of the Town Counsel compromise any claim for property so taken by them.

SECTION 406. All payments by the town for workmens' compensation shall on the approval of the Selectmen be charged to the appropriation for the payment of damages.

SECTION 407. Whenever in connection with the settlement of any claim against the Town for damage to real estate the Selectmen can without additional expense to the Town obtain title to the land affected, and in their judgment it is for the advantage of the Town so to do, they are authorized to accept on behalf of the Town a deed to the fee simple or any less interest therein.

ARTICLE V

SECTION 501. No person or corporation shall make any excavation within the limits of any public way in the town except upon and in accordance with the conditions of a permit to be issued by the Board of Selectmen, such permit to be issued only upon written application stating the location and extent of the proposed excavation and a fee of twenty-five cents shall be charged for each permit issued.

It shall be a condition of each permit thus issued that the surface of the highway shall be restored to its original condition and at the expense of the person or corporation to whom the permit is issued; also that the licensees shall indemnify the town against the claims of all persons who may be injured in their person

or property by reason of such excavation. The Board of Selectmen may fix the time within which such permit shall remain in force, and may prescribe what precautions shall be taken to guard the public against injury. Violation of any of the conditions of said permit shall render the same void.

Except in the case of a leak or break in some underground installation or for the purpose of setting telegraph or other poles, no such permit shall be granted to open any street or way between the time when the ground freezes in the Autumn and the time when the frost is out of the ground in the Spring, which times for the purposes of this section be determined each year by the Board of Selectmen.

or No person having authority to dig up or obstruct any street shall do so in a manner which does not leave reasonable access for persons and vehicles to property abutting on such street of which does not leave a reasonable passage through the street for fire apparatus.

Numbering of Houses

SECTION 502. The Board of Selectmen shall determine and designate numbers of the buildings on such streets or portions or streets as they think best and no person shall neglect to affix to any building owned by him the street number designated to him by said board, nor shall any person affix or suffer to remain on any building owned by him a street number other than the one designated by said board.

Private Ways

SECTION 503. No private way, lane or alley shall connect with a public highway of the town unless at its junction with each highway it shall have a sign reading "Private Way" or "Not a Public Way", provided that this provision shall not apply to such private driveways not exceeding twelve feet in width as have a gate, gateway, or barway at their junction with the public highway or are otherwise so constructed and located that in the opinion of the superintendent of Streets they cannot reasonably be mistaken for public highways.

Acceptance of Streets

SECTION 504. All petitions for the acceptance of streets must be presented to the Board of Selectmen not later than October first previous to the annual town meeting.

SECTION 506. No street or way shall be laid out or accepted by the Town of Weymouth of a width less than 40 feet, unless the same shall have been actually opened and used for public travel prior to January 1, 1924 or is requested and recommended by the Selectmen and Superintendent of Streets.

SECTION 507. No street or way constructed through lands by the owners thereof shall be laid out or accepted or recommended by the Selectmen or any committee of the town for acceptance as a public street or way of the Town of Weymouth, unless previously constructed and completed to the sub-grade in accordance with specifications set forth in Section 511.

SECTION 508. Any street or way constructed through private land by the owners thereof in accordance with the specifications

set forth in Section 511, may be laid out and accepted as a public street of the Town of Weymouth provided such action is taken in accordance with provisions of Chapter 50 of the Revised Laws of Massachusetts and amendments thereof; and provided also, that the owners of at least 75 per cent. of the lands through which such street or way passes, have signed releases of all property which the town deem it necessary to acquire for such layout and accepted and have granted sloping privileges.

SECTION 509. When it is necessary in the opinion of the Superintendent of Streets to construct catch-basins on any street or way, and lay drains to connect with a permanent outlet, such catch-basins and drains may be constructed and laid out, and the cost of such work shall be considered as a part of the total cost of constructing said street or way.

SECTION 510. Side gutters on any such street or way having a grade of five per cent., or over, may, if in the opinion of the Superintendent of Streets it be necessary, be paved four feet wide, with stone or concrete, the cost of such work shall be considered as a part of the total cost of constructing said street or way.

SECTION 511. A plan and profile done in ink on tracing cloth 19 inches wide by 28 inches long at a scale of not less than one inch to 40 feet of every street shall be filed in the office of the Superintendent of Streets who shall fix the grade thereon.

Such plan shall show the property lines for at least fifty feet from the line of the proposed street and the names of the respective owners as of a date not earlier than September first of the year in which the petition is filed.

There shall be filed at the same time a duplicate of said plan except that the scale may be reduced, made in the manner and in some one of the sizes prescribed under Chapter 150 of the Acts of 1927, for record in the Registry of Deeds. Three blue prints of each plan shall be filed also.

(a) Every such street or way shall be at least forty feet wide and have a road-bed, equal to at least two-thirds of said street or way.

(b) All loam shall be removed from the limits of the street or way to a depth of at least twelve inches below the finished grade for the roadway, (and six inches below the finished grade or the sidewalk), or such greater depth as may be required by the Selectmen; all rock or boulders removed from the street or way shall be used in embankment.

(c) The entire area of such street or way shall be first cleared of all stumps, brush, roots and like material and of all trees not intended for preservation.

(d) All work in excavation or embankment shall be brought accurately to a sub-grade of not less than eight inches for the roadway and four inches for the sidewalk, below finished grade, or such greater depth as the nature of the sub-soil, in the opinion of the Selectmen may require.

(e) All corners of the intersecting streets or ways shall be rounded as approved by the Selectmen.

ARTICLE VI

POLICE REGULATIONS

Filthy Water

SECTION 601. No person shall lead, or suffer to be led, into any street or other way or running stream in the town, or construct or suffer to remain, any open drain, pipe, conductor, or conduit, opening into or upon such street or other way, or running stream, from any house or other building in the town, whereby filthy water or any unclean matter may be emptied into or upon any street or other way, or running stream, or whereby any stream of water or slush is discharged on any street or other way in such manner as to cause a nuisance by freezing or otherwise.

Circulars

SECTION 602. No person shall distribute papers, circulars, or advertisements in or upon any street or public way of the Town in such a manner as to make a litter.

Standing on Sidewalk

SECTION 603. Three or more persons shall not continue to stand or remain in a group near to each other on any sidewalk or street crossing, or in any public place, in such a manner as to obstruct a free passage for foot passengers; and any person or persons obstructing any sidewalk or street crossing shall move on immediately after request by any constable or police officer of the town.

Junk Dealers

SECTION 604. The Selectmen may license suitable persons to be dealers in and keepers of shops for the purchase, sale or barter of junk, old metals or second hand articles, in the town. They may also license suitable persons as junk collectors, to collect, by purchase or otherwise, junk, old metals, and second hand articles from place to place in the town; and they may provide that such collectors shall display badges upon their persons, or upon their vehicles or upon both, when engaged in collecting junk, old metals, or second hand articles; and may prescribe the design thereof. They may also provide that such shops and all articles of merchandise therein, and any place, vehicle or receptacle used for the collecting or keeping of the articles aforesaid, may be examined at all times by the Selectmen or by any person by them authorized thereto.

Cattle at Large

SECTION 605. No person shall suffer any horse, cattle, other grazing animals or fowl kept or controlled by him to run at large upon any of the streets or other places in the town, either with or without a keeper.

Coasting and Games in Streets

SECTION 606. No person shall kick football or play at any game in which a ball or other missile of any kind is used, or

throw any stones or other missiles, or use a bow and arrow or air gun in any public street of the town, and no person shall coast upon any sidewalk, or in any public street except such streets as may be designated therefor by the Selectmen by public notice, and the Selectmen may restrict traffic in the streets so designated for coasting.

Firearms and Explosives

SECTION 607. No person shall cause to burn or explode any fireworks, firecrackers, torpedoes or other explosive articles in any public street or way except in accordance with a permit from the Board of Selectmen, and no person shall discharge any firearm or cannon in any public street or way except in defence of life or property, at a military display duly authorized by the authorities of the United States or of the Commonwealth, or in accordance with a permit from the Board of Selectmen.

Obstruction of Highways

SECTION 608. No person shall place or cause to be placed any obstruction in any public street, footpath or sidewalk, or suffer any such obstruction placed or controlled by him to remain for more than one hour after being notified by a Selectman, police officer or the Superintendent of Streets to remove the same.

Relating to Hawkers and Pedlars

(Amendment approved by the Attorney-General)
November 5, 1917

SECTION 609. No person shall go from place to place in this town selling or bartering, or carrying or exposing for sale or barter, and fruits, vegetables or fish in or from any cart, wagon or other vehicle, or in any other manner, without a license therefor from the Board of Selectmen, provided, however, that this section shall not apply to any person who sells only fruits or vegetables raised or produced by himself or family, or fish which is obtained by his own labor or the labor of his family.

SECTION 610. The Board of Selectmen shall have authority to grant such license to any person of good repute for morals and integrity who is, or has declared his intention to become a citizen of the United States. Said licenses unless sooner revoked by the Board of Selectmen shall expire one year after the granting thereof and each person so licensed shall pay therefor a fee of ten (\$10.) dollars.

SECTION 611. No hawker or pedlar shall sell, or offer or expose for sale, any of the articles enumerated in Section 15, of Chapter 65 of the Revised Laws, or in any acts in amendment thereof or in addition thereto, until he has recorded his name and residence with the Town Clerk, or such other board or officer as may be designated by the Selectmen. Every person licensed under the provisions of the preceding section as a hawker or pedlar of fruit and vegetables shall record his name and residence in like manner with the Town Clerk or such board or officer.

SECTION 612. No person hawking, pedling or carrying or exposing any article for sale, shall cry his wares to the disturbance of the peace and comfort of the inhabitants of the town, nor otherwise than in vehicles and receptacles which are neat and clean and do not leak.

SECTION 613. Every hawker and pedlar licensed by the Board of Selectmen shall be assigned a number and shall be provided by said board with a badge which shall be conspicuously worn by him; and every other such hawker and pedlar as described in Section 611 shall provide himself with a badge, of such type and design as may be approved by said board of Selectmen, which he shall wear in like manner.

Whoever neglects to wear, or wears such badge without authority, shall be punished by the penalty provided in Section 901 of this by-law.

SECTION 614. Every vehicle or other receptacle used by the licensee as a conveyance for articles offered or exposed for sale by him shall have attached thereto on each side a number plate, to be furnished by the town with his license, bearing the number and date of expiration of such license.

SECTION 615. No person shall be registered or assigned a badge or number plate under the provisions of Section 611 and 613 of these by-laws relating to hawkers and pedlars until he presents a certificate from the Sealer of Weights and Measures stating that all weighing and measuring devices intended to be used by such person have been duly inspected and sealed as required by law. The use of, or possession by such person with intent to use, any false or unsealed weighing or measuring devices shall be sufficient cause for the revocation of his license, or the cancellation of his registration.

SECTION 615. Nothing in these by-laws shall be construed as conflicting with any license issued under the authority of the Commonwealth.

SECTION 617. Any license granted under these by-laws or any by-law amendatory or additional thereto, may be revoked by the board granting the same.

Town Hall

SECTION 618. The janitor of the Town Hall shall cause the National and Town flags to be displayed daily in front of the Memorial Wall, except in stormy weather. In stormy weather he shall cause the National flag to be displayed, on patriotic holidays and days on which the public schools are in session.

SECTION 619. Smoking or carrying of lighted pipes, cigars or cigarettes shall not be permitted in the Council Chamber.

SECTION 620. The floor covering of the Council Chamber shall not be removed except when dancing is to take place and then only during the time actually occupied by dancing.

SECTION 621. Until such time as the Town may create an art commission no pictures or other mural decorations shall be placed in the Council Chamber, the central rotunda or the second floor corridor of the Town Hall, except by vote of the Town meeting, and no fixtures of any kind shall be installed in the corridors, stairways, Council Chamber or office rooms of the building without a like vote of the Town Meeting.

ARTICLE VII

BUILDING LAWS

The Appointment of Inspector of Buildings

SECTION 701. The Board of Selectmen shall annually, in April, appoint an inspector of buildings who shall be a voter of the Town of Weymouth, for the term of one year from the first day of May following, or until another is appointed in his stead. His salary or compensation shall be fixed by the Board of Selectmen within the limits of the appropriation made by the Town for that purpose.

General Duties of Inspector

SECTION 702. The inspector of buildings shall keep a record of the business of said department; submit to the Selectmen a yearly report of such business; ascertain all facts and make all returns which shall be required by law relative to steam boilers or other matters connected with his department, and enter upon the premises wherein any fire has occurred, if necessary, in order to investigate the origin of the fire.

SECTION 703. The inspector of buildings shall grant permits for the erection or alternations of buildings, and no structures or foundations shall be built or altered without such a permit, but no such permit shall be issued until the inspector has carefully examined the plans and specifications of the proposed building or alteration, and ascertained that the building has sufficient strength, that the means of ingress and egress are sufficient, and the building conforms to the requirements of these by-laws.

Examination of Buildings Being Erected, Repaired, Etc.

SECTION 704. A copy of the plans and specifications of every public building shall be deposited in the office of the inspector.

SECTION 705. He shall examine as often as practicable all buildings which are beng erected, raised, enlarged, altered or repaired and for that purpose shall have the right of entry thereto.

In case such building is found to violate any provision of these by-laws he shall direct such alterations as may be necessary to make such structure conform to them. If such directions be not complied with he shall make a written report of the facts to the Town Counsel, who shall institute such court proceedings, either civil or criminal, as the facts shall in his opinion warrant.

Alterations, Repairs and Additions, Subject to This By-Law

SECTION 706. Any alterations or additions to any building already erected or hereafter to be built except necessary repairs as herein defined, shall to the extent of such work, be subject to the provisions of this article.

SECTION 707. No building already erected, or hereafter built, shall be raised or built up or altered in such manner that, were such building wholly built or constructed after the passage of this by-law, it would be in violation of any provision thereof.

SECTION 708. No building shall be moved to any location where its construction would be in violation of the provisions of this article.

SECTION 709. No bulding or other structure hereafter erected moved or altered shall after its erection, moving or location be used for any purpose for which the erection of a new building or structure identical in character with the one so erected, moved or altered is forbidden by this article.

Definitions

SECTION 710. ALTERATION—Any change in or addition to any building or any change in or addition to any other structure which converts the same into a building within the meaning of this article.

BUILDING—Any structure of which any portion is designed or used for human habitation, for a garage, barn or stable, for any manufacturing, industrial or mercantile purpose, for a place of public resort or assembly or which is used in connection with the storage or sale of petroleum or any of its derivatives or any other structure not hereinbefore described which is more than one story in height or covers an area of more than 200 square feet.

First Class Building

A building of fireproof material throughout, with floors constructed of iron, steel or reinforced concrete beams, filled in between with terra-cotta or other masonry arches or with concrete or reinforced concrete slabs; wood may be used only for under and upper floors, window and door frames, sashes, doors, interior finish, hand rails for stairs, necessary sleepers bedded in the cement, and for isolated furring bedded in mortar. There shall be no air space between the top of any floor arches and the floor boarding.

Second Class Building

A building not of the first class, the external and party walls of which are of brick, iron, steel, concrete, reinforced concrete, concrete blocks, or other equally substantial and fire proof material.

Third Class Building

Any building not of the first or second class.

CELLAR—A lower story of which one-half or more of the height from the bottom of the story to the under side of the floor joists of the story next above, is below the mean grade of all the streets, or the mean grade of the natural ground adjoining the building; provided that said grade of the ground is not below the grade of the street at the principal front.

EXTERNAL WALL—Every outer wall or vertical enclosure of a building, other than a party wall.

FIRE WALL—A masonry division wall which extends through and at least two feet above the roof and in which all openings are protected by fire doors, or any wall dividing spaces within a building into limited areas for fire protection.

FOUNDATION WALL—That portion of any external wall below the level of the street curb, and that portion of any party wall

below the cellar floor, and of any wall not on the street, that portion of the wall below the level of the ground, outside of the wall.

HEIGHT OF A BUILDING—The distance from the top of the outside foundation wall on street to the highest part on roof.

PARTITION WALL—Any interior wall of masonry or other material in a building.

PARTY WALL—Every wall used, or built in order to be used, as a separation of two or more buildings.

REPAIRS—Any reconstruction or renewal of any part of a building or structure, or of its fixtures or appurtenances which does not lessen the strength or increase the fire risk of the buildings, and does not, in the opinion of the inspector, enlarge or diminish the cubical contents of the building, change the chimneys or stairways, or change the lines of the external walls or roof.

SHAFT—(Whether for air, light, elevator, dumb waiter or any other purpose) is an enclosed space within a building extending to the roof, and covered either by a skylight or by the roof.

VENT SHAFT—A shaft used solely to ventilate or light water closet compartments or bath room.

THICKNESS—(of a wall)—The minimum thickness of such wall exclusive of air space.

UNDER-PINNING—The brick or stone wall from the foundation wall to under side of sill.

SECTION 711. All roofs on buildings hereafter constructed or altered shall be covered with slate, tile, stone, asbestos shingles, asphalt shingles, tar and gravel or metal, and all roofs hereafter renewed shall be covered with one or more of the above materials, provided that this section shall not apply to such repairing or patching as shall not amount to the renewal of the covering of a whole roof or a distinct section thereof. In case of damage to a building by fire or other casualty, the Building Inspector may without the issuance of a formal building permit allow the roof and walls to be made tight temporarily, but no reconstruction shall be permitted except in accordance with this chapter.

Notice To Be Filed Of Intended Alteration

SECTION 712. Every person intending to build or to alter any structure or foundation shall before commencing the same, file an application for a building permit with the Inspector of Buildings, together with the plans and specifications of the intended building or alterations. No permit issued by such inspector whether for a new building or alterations, shall be in force for a longer time than one year. This shall be in addition to such permits as may be required by the laws of the Commonwealth for specified classes of buildings, provided the Inspector of Buildings may waive the requirement for filing plans and specifications when in his opinion the filing of either or both is unnecessary.

Applications for Lines and Grades

SECTION 713. In case of public streets or squares, where grade lines are established, any person proceeding to erect or

make alterations in the location of grade of any fence, wall or building, which is to abut upon said public street or square, shall first apply to the Selectmen for the lines and grades of the street or square upon which he proposes to operate; such application shall be made in writing, at least seven days before the work is to begin, and the Selectmen shall, within said time, furnish the required lines and grade, without charge, if in their power so to do.

Bay-Windows and Other Projections

SECTION 715. No bay-window or other structure shall be placed on any building so as to project over any public way or square.

Piling

SECTION 716. When the nature of the ground requires it, all buildings shall be supported on foundation piles not more than three feet apart on centers in the direction of the wall, and the number, diameter and bearing of such piles shall be sufficient to support the superstructure proposed. The inspector shall determine the grades at which the piles shall be cut to insure constant immersion. There shall be not less than two rows under all external and party walls. All piles to be capped with concrete or block granite levellers not less than sixteen inches thick, each leveller having a form bearing on the pile or piles which it covers; under each pier for support of floor-bearing beams not less than three piles shall be used. The inspector may require any applicant for a permit to ascertain by boring the nature of the ground on which he proposes to build.

SECTION 717. Every wooden building hereafter erected (except where specified in Section 721) or altered shall have all parts of sufficient strength to carry the weight of the superstructure; shall be built with sills halved at all intersections. Posts, girts, studs and plates shall be securely braced and nailed. The posts, sills and girts shall not be less than four by six inches, the plates four by four inches, or its equivalent, and the studs two by four inches, not more than sixteen inches on centers, and resting upon sills, girders or plates. Floor-bearing partitions will have studs two by four inches, the bottom resting on girders of not less than six by eight inches, the stud to have a suitable cap, and the studs in the intermediate stories to have a footing on the cap. All door openings in excess of three feet will be trussed over the same, as also all self-supporting walls and partitions above the first floor. The attic floor may be supported by a ledger board, cut in the wall studs, but between the studs a two-inch plank, by the width of the studs shall be cut in to prevent the passage of air. No ceiling timbers above top floor shall be less than 2 x 6. All timbers resting on brick walls shall be cut on a splay, and will have suitable anchor irons on the ends of timbers every ten feet, and a continuous tie made across the wall where the timbers meet by suitable irons, and the opposite end spiked to the outside studs. All headers and trimmers of all openings over four feet square, and all timbers under cross partitions shall have joists double other timbers.

In all dwelling houses, the size of the floor joists shall not be less than the following:

Clear span of 10 or 11 feet, size of joist 2 x 7

Clear span of 12 or 13 feet, size of joist 2 x 8

Clear span of 14 or 15 feet, size of joist 2 x 9

Clear span of 16 or 17 feet, size of joist 2 x 10

Clear span of 18 or 20 feet, size of joist 2 x 12

shall be placed not more than sixteen inches apart on centers and shall rest full width on sills, girders or plates.

All floors with a span of over 12 feet shall be cross bridged.

No rafters less than 2 x 6 shall be used and they shall be laid not more than 24 inches on centers.

SECTION 718. Every eighth course, at least, of a brick foundation shall be a heading or bonding course; the underpinning may be bonded every eighth course with Flemish headers; where rubble stone is used, one-third of the wall shall be laid with through stone well bonded.

SECTION 719. All stone and brick work shall be laid in lime and cement mortar, no poorer than equal parts of lime and cement, with a proper proportion of sand as will secure thorough adhesion to the materials with which they are to be used, and the building inspector shall condemn all mortars not so made; all to be well laid with well filled joints. Brick when laid shall be wet or dry as the building inspector may direct; no light, hard or soft brick to be used. Foundation walls shall not be laid on frozen ground.

Wooden Buildings

SECTION 720. Except as otherwise provided in the following section, every building hereafter erected shall have a foundation wall of rubble stone, block granite, concrete, or brick, laid in mortar, carried to the surface of the ground and extending under all portions of the exterior wall of said building except piazzas and porches and except projections in the nature of bay or oriel windows all portions of which are within the lines of an equilateral triangle one side of which shall be the exterior wall of the room from which such bay or oriel window projects, or if built on a corner, within the arc of a circle whose radius is one-half of the shorter of the two exterior walls of the room from which it projects, and whose center is the point of intersection of the straight portion of the said walls projected into such bay or oriel window.

Every such foundation wall, if of brick shall be at least twelve inches thick, with a footing eight inches wider than the wall, and stepped up one foot; if of granite block stone, shall be at least sixteen inches thick, if of rubble stone, shall be at least eighteen inches thick, shall be laid at least four feet below any surface exposed to the frost, and upon the solid ground.

Every such wooden building hereafter erected or altered, the sills of which do not rest directly upon a foundation wall as above described, but on an under-pinning, shall have such underpinning made of brick or stone or cement block, and if the building is not over two stories high above the highest street level of its principal front, the under-pinning, if of brick, shall be at least eight inches thick; and if the building is of greater height, the under-pinning, if of brick, shall be at least twelve inches thick; and if of poured cement from cellar bottom up not less than 10 inches thick, if over two stories high 12 inches

thick, every under-pinning, if of stone, shall be at least sixteen inches thick.

No concrete mixture shall be leaner than 1-3-6.

SECTION 721. Every such building hereafter erected on soft or marshy land, and used for a work-shop or other like purpose, or as a temporary structure may, if the building inspector approves, rest on mud-sills, or blocks, or on piles cut to the height of the grade.

Wooden buildings to be used as stables, carriage-houses, for the housing of automobiles or for hen, duck, rabbit, or hare-houses, not covering over seven hundred square feet on the ground, and not exceeding fifteen feet in height, may be built in any manner satisfactory to the inspector of buildings.

SECTION 722. Piers under girders, supporting floor timbers in cellars, may be of iron, Lally Columns or columns of similar type, red cedar or chestnut of sufficient strength, or brick or concrete and in any case shall be not more than nine feet part, and all trimmers in the first floor over twelve feet in length shall be supported by a pier or column.

Footings for all piers shall be set on a firm foundation and have levellers one foot larger than the piers; footings to be not less than twelve inches thick. Piers under porches and piazzas shall have suitable foundations at least four feet below the grade, unless the same shall rest upon hard pan or ledge.

The spaces between such parts of floor joists as rest upon girders, partition heads or sills shall have the spaces filled in solid, between the studs flush with the under side of the finished floor with bricks laid in mortar, or other fire-proof material; the spaces between stringers or staircases and joists of landing, unless unceiled, shall be stopped with some incombustible material at two places in every flight of stairs, so as to prevent the passage of air. Fire-stops must be put on each floor, between the floors and chimney. All channels and pockets, for gas, water and soil pipes must be made smoke tight at each floor.

SECTION 723. Wooden buildings built in blocks of two or more dwellings shall have brick party walls, not less than twelve inches thick, with a footing course eight inches wider than the wall, and stepped up one foot, and carried up to the under side of the roof boards; and there shall be a space of four inches between the timbers on each side of the wall; the roof boards to be laid and embedded in mortar on wall. Fire-stops or mortar shall be required at the floor and ceiling in each story, on the brick party wall between the flush with the furring. The brick wall to be of merchantable hard bricks, and laid as required for foundation walls in Section 719 of this by-law. These brick walls are to be built from the inside of the outside wall boarding and must be corbelled out to the cornice. In case the projection of the cornice will not admit of corbelling out to make a thorough fire-stop, then the rafters on each side of the wall shall be covered on the sides, and over the planceer board and back of the gutter fascia, with galvanized iron or zinc, and the space between filled in with non-combustible material.

SECTION 724. Any building intended for occupancy or more than two families or any building occupied by two families, a portion of which building is used for a store, shop, or any mercantile business, shall be a first-class structure.

SECTION 725. If two or more stores or separate apartments used for any mercantile industry or manufacturing purposes are built in a range, there shall be a brick fire wall at least 12 inches thick and extending at least 2 feet above the roof, covered with a metal, cement, or stone capping between each two such stores or apartments and at least each 60 feet as measured on the street line, provided, however, that where such a structure stands on the corner of two streets this measurement shall be taken on one of said streets and no building shall have more than 4000 square feet of floor space unless the same is divided by brick firewalls, into units or not more than 4000 square feet, provided nevertheless, that this section shall only apply in cases where the laws of the Commonwealth do not impose the same or greater restrictions.

SECTION 726. Distance from lot line. No portion of a building except the eaves of a roof, or waterspout, of the third class hereafter erected, enlarged, or placed, shall be nearer than five feet to the boundary line of the lot on which it stands, or to any other building of the first or second class, or nearer than ten feet to any other building of the third class on the same lot, unless such wall is made of brick, cement, or equally substantial and approved fireproof material.

SECTION 727. Any building subject to these by-laws shall be set back at least 18 feet from the line of the street on which the same fronts, except in a business district a first or second class building may, by permission of the Board of Selectmen given after public notice and hearing and upon the unanimous recommendation of the Board of Appeal, be built at a less distance, but no such recommendation shall be given if such erection would damage neighboring property or interfere with any plans then pending or under consideration for the development or widening of the way on which said building is located, and further providing that where a building constructed under the provisions of these by-laws is located between two other buildings, both of which were constructed previous to the adoption of these by-laws, and which stand within 18 feet of the side-line and both of which are within 50 feet of the proposed building, such new building may be built at a less distance than 18 feet from the street line, but no portion of said building shall project nearer to the street line than a line connecting the two front corners nearest to each other of the adjacent building, and further provided that where a lot comes on the corner of two streets, both of which streets were accepted before the adoption of these by-laws, the Board of Selectmen may permit such building to be built within 5 feet of the sideline on a side opposite to one of said streets.

External and Party Walls of Brick Dwelling Houses

SECTION 728. The external walls of all brick dwelling houses two stories high shall not be less than eight inches thick above the top of first floor, and not less than one foot thick from the top of the foundation to the top of first floor.

In all three story buildings the external walls above the top of first floor shall not be less than one foot thick to top of second floor and sixteen inches thick from the top of foundation to top of first floor. If the building is more than sixty feet in height,

from the side-walk to the ceiling of upper story, the external walls shall not be less than sixteen inches in the first story, and twelve inches thick above that story. Foundations if of brick shall be four inches thicker than the wall in first story; foundations if of block granite shall be six inches thicker than the wall above, and if of rubble stone, shall be ten inches thicker than the wall above, and shall have a footing course of large size stone eight inches wider than the wall; no round or boulder stone shall be used.

All party walls shall not be less than twelve inches thick. All roof or floor timbers entering the same party wall from opposite sides shall have at least four inches solid brick-work between the ends of said timbers.

The ends of all wooden floor or roof beams in dwellings with masonry walls shall enter the wall to a depth of at least four inches, unless the wall is properly corbelled so as to give a bearing of at least four inches; and the ends of all such beams shall be so shaped or arranged that in case of fire they may fall without injury to the wall.

Each floor in dwellings with masonry walls shall have its beams so tied to the walls and to each other with wrought iron straps or anchors at least three-eighths of an inch thick by one and one-half inch wide, so as to form continuous ties across the building not more than ten feet apart. Walls running parallel or nearly parallel with floor beams shall be properly tied once in ten feet to the floor beams by iron straps or anchors of the size above specified. Every wooden header or trimmer more than four feet long, carrying a floor load of over seventy pounds per square feet, at connections with other beams, shall be hung in stirrup irons and joint bolted. All tail beams and similar beams of wood shall be framed or hung in stirrup irons. All iron beams shall have proper connections.

Cutting for piping or other purposes shall not be done so as to reduce the strength of the supporting parts below that required by the provisions of this act.

No part of any floor timbers shall be within two inches of any chimney. No studding or furring shall be within one inch of any chimney.

Every brick dwelling over three stories high shall have a sufficient fire-stop at each floor, covering the whole floor of each story through all stud partitions, and extending to the masonry walls. Every air duct, except vents, shall be effectually stopped at each story. Every such fire-stop shall consist of a solid, airtight cohesive layer, at least one inch thick, of tile, brick, terracotta or like fire-made material, plaster, cement, cinder or ashes, or of a combination of the same, or of equally non-inflammable non-heat conducting materials, laid between the upper and under floors, or occupying all the space between the timbers under the under floors. And in all brick dwellings above three stories in height, and in all brick dwellings occupied as independent apartments or tenements by more than three families, all stairways shall be enclosed in walls or shafts of non-inflammable material, and all openings in said walls or shafts shall be provided with metal-covered doors hung to rabbeted iron frames with iron thresholds. The foot of each partition and of each tier of studding or furring shall be filled solid between the uprights to the full width thereof, and to the height of six inches above the

floor, with the same incombustibles as above prescribed for fire-stops, or some combination thereof. The spaces between such parts of the floor joists as rest upon partition heads shall be filled with the materials above required. The spaces between stringers of staircases and joists of landing unless unceiled, shall be stopped with some of the incombustibles above mentioned, at three places at least in every flight of stairs, as to prevent the passage of air.

All new or renewed roofs shall be so constructed as to bear safely, in addition to the weight of material, twenty-five pounds per superficial foot of area, covered with proper additional allowance for a horizontal wind pressure of thirty pounds per square foot. All thin glass skylights upon roofs shall be covered by a wire netting when in the opinion of the inspector such protection is needed. The roof of every brick building hereafter built shall be covered with tin, iron, slate, gravel, composition, or like substantial roofing material not readily inflammable.

SECTION 709. All stone wall and brick-work shall be laid as described for foundations in Section 718, except that the external brick walls above the foundations, and the party walls above first floor, may be laid in best lime mortar, and if of face brick, by cutting the corners and putting in diagonal headers. Fire-stops of mortar shall be required at the floor and ceilings in each story, on party and external walls between and flush with the furring.

SECTION 730. In no case shall a wood lintel support any brickwork. All window and door openings shall have suitable caps, segmental arches or iron beams. All lintels for store fronts supporting walls shall be of iron, the ends on an iron plate the full thickness of the wall. No wood posts shall support any iron beams. Iron posts for any support of walls shall have a bottom iron plate not less than twelve by twelve by two inches.

Openings in Brick Walls

SECTION 731. No opening or door-way shall be cut through a party or partition brick wall of any building without a permit from the inspector.

Construction of Chimneys

SECTION 732. All chimneys hereafter shall be built of brick, stone or other incombustible material, and shall have a footing of masonry or iron supported by iron or corbels of brick or stone. No chimney shall be hung to an 8-inch wall, or bear or rest upon wood.

No chimneys corbelled from a wall shall project more than the thickness of the wall. All smoke flues built of brick less than 8 inches thick shall be smoothly plastered both inside and outside except where said chimney is not concealed, in such case plastering on inside will be sufficient, below any wood-work in basement to the entire height of the chimney. All brick vent flues shall be smoothly plastered or cement washed on the inside.

All chimneys shall project at least two feet above the highest part of the roof through which they pass or four feet above the highest point of the roof contiguous to the chimney, whichever is the lower, and shall be topped out with brick or stone and the topping shall not have more than two inches of projection, unless

covered by a cap of approved incombustible material, properly secured; and in no case shall a nail be driven into the masonry of any flue.

All wood-work in brick buildings shall be placed distant, one inch, and floor timbers, headers, trimmers and girders, at least $1\frac{1}{2}$ inches from the outside of every chimney flue. In chimneys with more than two flues the withes shall be constructed of brick laid flatways and bonded every eight course.

Chimneys Passing Through Floors

SECTION 734. Where chimneys pass through floors they shall be held central in openings by one header projected out at each corner against openings, and there shall be fire-stops of tin, sheet iron or masonry to stop draft through openings around chimneys on each floor.

Recess on Chimneys

SECTION 735. No chimney shall be corbelled out but may be corbelled if thoroughly bonded to receive a thimble. All recesses shall be plastered and there shall be a space of not less than six inches between wood work and thimble, or they shall be made safe in a manner satisfactory to the inspector. No brick flue shall be built out of plumb beyond its centre of gravity.

Flues Not on Foundation Walls, Etc.

SECTION 736. Brick flues in dwellings not starting from foundation walls shall rest upon a continuous support of metal or masonry extending to the ground. Brick flues necessary in buildings other than dwellings, and not starting from the ground, shall be supported in a manner approved by the inspector; and if other than brick, where they pass through the roof, ceilings, closets, floors, or any wood work, shall be guarded by a double collar or pipe, with at least three inches air space and holes for ventilation and made safe in a manner satisfactory to the inspector.

When smoke flues are connected with hot water or low pressure steam boilers having a grate area of over eight square feet, bakers ovens, hotel or restaurant ranges, the brick wall enclosing the flue linings shall not be less than eight inches in thickness. When smoke flues are connected with high pressure steam boilers, smelting furnaces and other apparatus which heat the flues to a similarly high temperature enclosing brick walls shall not be less than twelve inches in thickness and in place of the lining, the inside four inches of such walls shall be of fire brick laid in fire clay extending for a distance of not less than twenty-five feet in any direction from the source of heat, and there shall be an air space of at least four inches within all walls not external to the building for the same distance as required for the lining.

Iron cupola chimneys of foundries shall extend at least ten feet above the highest point of any roof within a radius of fifty feet of such cupola, and be capped with a suitable spark arrester. No wood work shall be placed within two feet of the cupola.

Notice in Case of Unsafe Chimneys, Etc.

SECTION 737. If any chimney, flue or heating apparatus shall, in the opinion of the Inspector of Buildings, be unsafe by reason of endangering the premises by fire or otherwise, he shall at once notify in writing the owner, agent or other party having an interest in said premises, who upon receiving said notice shall make the same safe, in pursuance of the terms of said notice.

Foundations For Fire-Places, Ranges and Grates

SECTION 738. All hearths shall be supported by trimmer arches or brick. The brick jams of every fire-place, range or grate openings, and the back of such opening, shall be at least eight inches thick.

All hearths and trimmer arches shall be at least twelve inches longer on either side than the width of said openings, and at least eighteen inches wide in front of the chimney breast. Brick-work over fire places and grate openings shall be supported by proper iron bars, or brick or stone arches.

Steam Pipes

SECTION 739. All steam pipes passing through floors or joists shall be protected by an incombustible ring or tube, or rest on iron supports, with air space three-fourths of an inch larger in diameter than the steam pipe.

Protection of Wood-Work About Smoke Pipes

SECTION 740. No smoke pipe shall pass through any wooden partition, without a soapstone ring of the thickness of the partition and extending four inches from the pipe, or a double metal collar of the thickness of the partition, with a ventilated air space of not less than four inches around the pipe; nor shall a smoke pipe be placed within eight inches of any wood unless such wood is plastered and protected by a metal shield two inches distant from the wood, in which case the smoke pipe shall not be less than 6 inches from the wood. All smoke pipes passing through closets shall have ventilated air space pipes at least four inches larger than the smoke pipe.

SECTION 741. The smoke pipes of any hot-air, steam, hot-water or other furnace passing beneath wooden beams or ceilings shall be kept at least eighteen inches therefrom, or the wood work shall be protected by a tin shield suspended at least two inches below said beam or ceiling, in which case the pipe may be placed within eight inches of the beam or ceiling.

Ash Depositories

SECTION 742. All receptacles for ashes, waste and other substances liable, by spontaneous combustion or otherwise, to cause a fire, shall be made of incombustible materials, satisfactory to the Inspector of Buildings.

SECTION 797. Violations of any section of this article shall be punishable by a fine of not more than one hundred \$100. dollars for each offence, but the enforcement of any penalty shall not effect any right of the town to proceed civilly either at

law or in equity against the property constituting a violation or against the owners or occupants thereof.

Fees

SECTION 798. There shall be payable to the Town of Weymouth the following fees for building permits for the erection or alteration of buildings within the limits of the town or for such repairs as require a permit:

Erection of first class buildings and second class buildings as herein defined	\$15.00
Erection of third class buildings as herein defined	5.00
Permits for alterations, substantial repairs which require a permit, the erection of sheds, poultry house and like small buildings valued at not exceeding one thousand dollars and not intended or used for human habitation	1.00

Fees shall accompany the application for the building permit.

SECTION 799. A Board of Appeal consisting of three members is hereby created consisting of one member of the Board of Selectmen appointed by the board, which shall also designate the chairman, the Town Counsel and the Town Engineer. In the case of the absence or disability of any member of the board, he shall designate some person to take his place, who, in the case of the Selectmen, shall be a member of the Board of Selectmen, in the case of the Town Engineer some citizen of the town of engineering experience; and in the case of the Town Counsel some citizen of the town who is a member of the Bar. Three members of the board shall constitute a quorum. Members of the board shall receive five (\$5.00) dollars for each meeting of the board attended by them, payable from the appropriation for the Building Department.

Any person applying for a building permit who wishes to be relieved from any operation of the provisions of this article may make application in writing to the building inspector, specifying what waivers he desires made in his favor and the reasons therefor. This application with the accompanying specifications, plans, and maps, if any, shall be submitted to the Board of Appeal by the Building Inspector, together with his written recommendations thereon, if unanimously approved by them, the inspector of buildings shall issue a permit for the same. If disapproved by any one of the above named officials then the application with the dissenting official's reason shall be submitted to the Board of Selectmen which body by vote of two-thirds of its members present and voting shall approve or disapprove the application.

ARTICLE VIII

Seal and Flag

SECTION 801. The seal of the Town shall consist of two concentric circles bearing between them on the dexter side an axe and spade crossed saltirewise, on the sinister side an Indian bow and two arrows crossed saltirewise thereon. In the upper arc the words and figures "Wessagussett 1622", and in the lower arc in heavier type the words and figures "Weymouth 1635"; the inner

circle divided fesswise by a scroll bearing upon its central portion the word "est", upon a dexter flourish the word "Laborare" and upon a sinister flourish the word "vincere", in chief the Holy Bible above a sword and Indian knife, crossed saltirewise, in base a two-master schooner with the United States Flag at its main gaff, astern the contour of Grape Island, and above the word "Massachusetts", the devices all in their natural color and the outline and lettering in gold.

SECTION 802. When used as an impression seal the design above described shall be outlined, but not blazoned or tricked.

SECTION 803. The present Town Seal shall continue to be the legal seal of the town so long as its use is continued, but representations of the seal made in the future shall conform strictly to the design herein prescribed.

SECTION 804. The flag of the town shall be of navy blue having in its center the seal of the town above a light blue panel outlined in gold and bearing in gold letters the words "Weymouth, Massachusetts" and in four corners in gold the dates "1623", "1675", "1676", "1775".

ARTICLE IX

Penalties

SECTION 901. Whoever violates any of the provisions of Section 501, 502, 503, or any section of Article VI except Section 610 shall upon conviction thereof, be fined in a sum not exceeding Twenty Dollars (\$20.00).

The foregoing amendments to the by-laws shall go into effect on the calendar day following their third publication after approval by the Attorney General as required by law, provided nevertheless that so far as any of the foregoing provisions are identical with those of the present by-laws of the town shall be considered as a continuation of the existing by-laws and the repeal or amendment of any provision shall not affect any penalty or forfeiture incurred before the date on which said repeal or amendment takes effect, and further provided that if any provision of the foregoing amendments shall be disapproved by the Attorney General or held invalid by any court of last resort, the same shall not affect any other provision of these by-laws.

Town Clerk's Certificate

These by-laws and amendments thereto were approved by the Attorney General of the State of Massachusetts on August 1, 1916, November 5, 1917, September 12, 1924, March 5, 1925, August 20, 1927, December 17, 1928, February 15, 1929, October 3, 1929 and October 15, 1929, April 10, 1930. The same were published as provided by law.

In witness whereof I hereto set my hand and affix the seal of the Town of Weymouth, this 15th day of February, A. D., 1930.

CLAYTON B. MERCHANT

Town Clerk

(Seal)

